



W.P.(MD)No.16471 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16471 of 2021

Ravi

... Petitioner

vs.

1.The Municipal Commissioner,
Sankarankovil Municipality,
Sankarankovil, Tirunelveli District.

2.The Surveyor,
Sankarankovil Municipality,
Sankarankovil, Tirunelveli District.

3.The Tahsilar,
Sankarankovil Taluk, Tenkasi District.

... Respondents

(R3 is *suo motu* impleaded vide order of this Court dated 17.11.2023)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct survey the property in Patta No.544 in Survey No.277/2A, for an extent of 31 cents and in survey No.272/2 for an extent of 8 cents at T.S.No.198, Ward B, Block 8 of Sankarankovil Municipality, Tirunelveli District on the basis of my application dated 10.08.2021 within time frame fixed by this Court.

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For Petitioner :Mr.T.Vadivelan
For Respondents :Mr.A.K.Manikkam
Special Government Pleader

ORDER

The Tahsildar, Sankarankovil Taluk, Tenkasi District is *suo motu* impleaded as the third respondent in this Writ Petition and Mr.A.K.Manikkam, learned Special Government Pleader takes notice on his behalf.

2.This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to conduct a survey in the subject property and to fix the boundaries based on the application submitted by the petitioner within the time frame fixed by this Court.

3.Heard Mr.T.Vadivelan, learned Counsel appearing on behalf of the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the respondents.

4.The case of the petitioner is that the subject property was



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purchased for construction of Kaliyamman Temple through registered sale deeds dated 23.01.1954 and 09.03.1972. The petitioner wanted a survey to be conducted for fixing the boundaries. Necessary application was given before the first respondent and necessary fees was also paid for conducting the survey. Since no steps were taken to survey the property, the present Writ Petition was filed before this Court.

5. In the considered view of this Court, it will be more appropriate to direct the impleaded third respondent to act upon the request made by the petitioner and to direct the survey to be conducted in the property. In view of the same, there shall be a direction to the petitioner to submit a fresh online application to the third respondent along with all the relevant documents and request for conducting a survey in the subject property. On receipt of the same, the third respondent shall take a decision and complete the process, if the request is in order, within a period of six weeks from the date of receipt of the online application from the petitioner.



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6.This Writ Petition is disposed of in the above terms. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

17.11.2023

cmr

To

1.The Municipal Commissioner,
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Sankarankovil, Tirunelveli District.

2.The Surveyor,
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N.ANAND VENKATESH, J.

cmr

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